

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

A.H., a minor by his Parent and	)	
Next Friend, P.H.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.
	)	
ARLINGTON SCHOOL BOARD,	)	
	)	
Defendant.	)	

**DEFENDANT’S NOTICE OF REMOVAL**

Arlington County School Board, by counsel, and, pursuant to 28 U.S.C. §§ 1331, 1441(a), and 1446, removes to this Court the state action filed by Plaintiff A.H. and described in paragraph 1 below.

1. The removed action was commenced in the Circuit Court for the County of Arlington, Virginia, on July 24, 2020, with the filing of a Complaint in an action styled A.H., a minor by his Parent and Next Friend, P.H. v. Arlington School Board, Case No. CL20002689-00.

2. On July 30, 2020, counsel for Plaintiff mailed to counsel for Defendant a Complaint, a Motion to Seal Administrative Record and Proceed Anonymously, and a Waiver of Service of Process form. Defendant executed such Waiver of Service of Process on August 5, 2020.

3. Pursuant to 28 U.S.C. § 1446(a), a copy of the Complaint, the Motion to Seal Administrative Record and Proceed Anonymously, and the executed Waiver of Service of

Process are attached hereto as Exhibit A. No other process, pleadings, or orders have been served upon the School Board in this action.

4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days after Defendant's receipt of the initial pleadings.

5. Venue of the removed action is proper under 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district and division corresponding to the place where the state court action is pending.

6. Removal is proper under 28 U.S.C. § 1441(a) because this Court has original jurisdiction under 28 U.S.C. § 1331 as this action arises under the laws of the United States.

7. Specifically, Plaintiff's claims arise from her action for review of the administrative hearing officer decision pursuant to the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400, *et seq.*, and from her allegations that Defendant denied her a free appropriate public education ("FAPE") in violation of the IDEA. (*See* Compl. Counts 1 and 2).

8. Defendant will promptly give written notice of the filing of this Notice of Removal to Plaintiff and will promptly file a copy of this Notice with the Clerk of the Arlington County Circuit Court.

WHEREFORE, Defendant Arlington County School Board hereby requests that this action be removed from the Circuit Court for the County of Arlington, Virginia, to the United States District Court for the Eastern District of Virginia, Alexandria Division, pursuant to 28 U.S.C. §§ 1331, 1441(a), and 1446 and this Notice of Removal, and that this Court assume jurisdiction over this action.

Respectfully submitted,

ARLINGTON COUNTY SCHOOL BOARD  
By Counsel

Date: August 21, 2020

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School Board*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of August 2020, a true copy of the foregoing was sent via e-mail and mailed, first class, postage prepaid to:

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